

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
 FEB 15 2007 DE✓
 Department of Water Resources
 Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
11-4337					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Lee Rigby
unknown
4. New Owner/Claimant(s) Martin Mast and Sarah Mast
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 1600 Hunter Hill Rd
- City, State and ZIP Code Montpelier, Id 83254
- New Telephone Number (208) 842-2882
5. Date you acquired the property March 10, 2000

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Matthew M. Smith
David M. Smith

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee **\$ 25.00**
 Received by SC Date 2/15/07 Receipt No. E03261D
 Processed by _____ AJ Date _____ WR _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 11-4337

WATER RIGHT NUMBER: 11-4337

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEE RIGBY 1600 HUNTER LN MONTPELIER, ID 83254 (208)847-0239

Priority Date: 06/01/1891
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.050 CFS	
DOMESTIC	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4NE1/4	Sec. 6, Twp 14S, Rge 45E, B.M.
BEAR LAKE County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	45E	6		X															

DOMESTIC same as STOCKWATERConditions of Approval:

1. Stockwater use is for 150 range cattle.
Domestic use is for 1 home.

Remarks:Comments:Dates and Other Information:

Issued With Policy No.

POLICY OF TITLE INSURANCE

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Policy No. A80-725012
File No. 19990818

SCHEDULE A

Amount of Insurance: \$ 425,000.00

Premium: \$ 1,436.25

Date of Policy: March 10, 2000 at 3:23 PM

1. Name of Insured:

MARTIN MAST and SARAH MAST

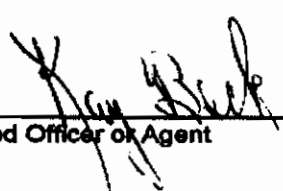
2. The estate or interest in the land which is covered by this policy is:
fee simple

3. Title to the estate or interest in the land is vested in:

MARTIN MAST and SARAH MAST, husband and wife

4. The land referred to in this policy is described in said instrument, is situated in Bear Lake County, State of IDAHO, and is identified as follows:

See Attached Exhibit "A"



Authorized Officer or Agent



ISSUED BY
COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commonwealth
A LANDAMERICA COMPANY

OWNER'S POLICY OF TITLE INSURANCE

POLICY NUMBER

A60-725012

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, COMMONWEALTH LAND TITLE INSURANCE COMPANY, a Pennsylvania corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

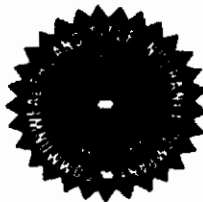
IN WITNESS WHEREOF, COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Policy to become valid when countersigned by an authorized officer or agent of the Company.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Attest:

Wm. Chadwick Perrine

Secretary



By:

Janet A. Alpert

President

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the Insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (i) to timely record the instrument of transfer; or
 - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

EXHIBIT A

TOWNSHIP 13 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN:

Section 36: All that portion of the S $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and the S $\frac{1}{4}$ SE $\frac{1}{4}$ lying Northeasterly of the Northeasterly Right of Way of the Union Pacific Railroad and Southwesterly of old U.S. Highway 30 North, now a County Road, as presently located.

TOWNSHIP 13 SOUTH, RANGE 45 EAST OF THE BOISE MERIDIAN:

Section 31: Beginning at a point 270 feet South of the Northwest Corner of Lot 4, said point being in the center of an existing County Road, said County Road being old U.S. Highway 30 North, and running thence Southeasterly along said Center line of said County Road 1350 feet, more or less, to the center of U.S. Highway 30 North, as presently located; thence Southeasterly along said U.S. Highway 30 North to its intersection with the South boundary of Section 31; thence West along the South line of Section 31 to the Southwest Corner of said Lot 4; thence North 1050 feet, more or less, to the point of beginning.

TOWNSHIP 14 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN:

Section 1: All that portion of Lots 6, 7 and 8 lying Northeasterly of the Northeasterly right of way line of Union Pacific Railroad as presently located.

TOWNSHIP 14 SOUTH, RANGE 45 EAST OF THE BOISE MERIDIAN:

Section 6: Lot 4 and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

ALSO: All that portion of Lots 2, 3 and 5, and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying Northeasterly of the Northeasterly right of way line of Union Pacific Railroad and Southwesterly of U.S. Highway 30 North and Westerly of Banks Valley Road, all as presently located.

EXCEPTING THEREFROM any Rights of Way for public roads, ditches and canals, and railroads as the same now exist over and across the above described premises.

ALSO EXCEPTING THEREFROM: A parcel of land being on the Southwesterly side of the centerline of U.S. Highway No. 30, Project No. F-1481(50) Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, and being a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 13 South, Range 45 East, Boise Meridian, and a portion of Government Lots 2 and 3 of Section 6, Township 14 South, Range 45 East, Boise Meridian, described as follows, to-wit:

Commencing at the South Quarter Corner of Section 31, Township 13 South, Range 45 East, Boise Meridian; thence South 88°27'00" West along the South line of said Section 31, a distance of 560.48 feet to a point in the centerline of existing U.S. Highway No. 30, coincident with Station 314+37.58 of said U.S. Highway No. 30, Project No. F-1481(50) Highway Survey; thence North 48°03'00" West along said centerline 237.58 feet to Station 312+00 of said Highway Survey; thence South 43°57'00" West 60.0 feet to a point in the Southwesterly right of way line of existing U.S. Highway No. 30, and being the REAL POINT OF BEGINNING; thence South 29°21'03" East 52.20 feet to a point in a line parallel with and 75.0 feet Southwesterly from the centerline and bears South 43°57'00" West from Station 312+50 of said Highway Survey; thence South 46°03'00" East

(continued)

EXHIBIT A CONTINUED

along said parallel line 450.0 feet to a point opposite Station 317+00 of said Highway Survey; thence South 41°28'34" East 250.80 feet to a point that bears South 43°57'00" West 95.0 feet from Station 319+50 of said Highway Survey; thence South 29°21'03" East 156.6 feet to a point that bears South 43°57'00" West 140.0 feet from Station 321+00 of said Highway Survey; thence South 50°20'21" East 300.84 feet to a point that bears South 43°57'00" West 117.50 feet from Station 324+00 of said Highway Survey; thence South 62°05'24" East 70.57 feet to a point that bears South 43°57'00" West 98.0 feet from Station 324+67.83 of said Highway Survey; thence South 46°03'00" East 493.05 feet to a point in the Northwesterly right of way line of a county road that bears South 43°57'00" West 98.0 feet from Station 329+60.87 of said Highway Survey; thence North 9°17'45" East 21.88 feet along said Northwesterly right of way to an existing right of way monument in the Southwesterly right of way of said existing state highway that bears South 43°57'00" West 80.0 feet from Station 329+48.43 of said Highway Survey; thence Northwesterly along said existing Southwesterly right of way line 1,750.0 feet, more or less, to the Real Point of Beginning. Highway Station Reference: 312+00 to 329+60.87

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